

ENTERED

March 01, 2024

Nathan Ochsner, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

§

§

§

v.

CRIMINAL ACTION NO. 4:22-CR-612

EDWARD CONSTANTINESCU, *et al.*,*Defendants.*

§

§

ORDER

Counsel have apprised the Court about the dispute over what the Court gave leave for with regard to possible depositions of FINRA staff members. First, the Court emphasizes it did not order any depositions at all. It gave leave for the depositions to be taken. To the extent the Government needs an order to provide to the deponent(s) in question, it is hereby ordered to do so. Second, the Court finds that the depositions contemplated easily fall under the auspices of Federal Rule of Criminal Procedure 15.

The two topics approved by the Court were: (1) the search made of FINRA's SONAR records, which resulted in negative (no records) findings, and (2) how the current reports were generated and how the search that was the basis of those reports was conducted. It is possible that two deponents may be needed to cover both topics. The Court suggests these depositions take place sooner rather than later.

SIGNED this 1st day of March 2024.



Andrew S. Hanen
United States District Judge